

Mr. BRUNSKEL'S CASE

With a Particular of Abuses discovered by him to King *Charles* the Second, and presented to Their now *Majesties*, and by the Directions of the Lords Commissioners of Their *Majesties Treasury*, presented to *Parliament*, and the *Titles* of the Acts since passed, and Bills pending set down in the Margent over against every Abuse.

THE said *Brunskel* was Clerk five years with Mr. *Cones* an Attorney and Associat to the Judges of Assize, afterward Solicited Business in others Names until he was compelled upon the Statute 3 Jac. 1 Chap. 7. to take Oaths which Obliged him to maintain and defend the Crown and Peoples Rights, and discover what he knows or believes to be done or suffered to the prejudice of either: Had he refused the Oaths tendered he had incurred a premunire: Therefore the said *Brunskel* took the Oaths, and Practiced in his own Name, and was Steward of *Richmondshire* in *Yorkshire*; Kept Courts, and had the Return of Writs, and was one of the Record-keepers in the *Rolls Chappel* whereby he had Access to the Records there; in the *Tower* and elsewhere. And knowing Fines Forfeitures, Issues, and Amerciaments to be established to support the Administration of Justice discovered to King *Charles* the 2^d. in the year 1674. How his Majesty was wronged, and Subjects oppressed, by Officers mismanagement of the said Casual Revenue: And His Majesty referred the said *Brunskel* to Sir *Francis North*, then Attorney General, who reported that the said Revenue, well managed, would be of a considerable yearly Value, and the said *Brunskel* deserved the Management. But the said *North* being soon after made Lord Chief Justice of the Common Pleas, and retracting his Report upon pretence that some part were his Officers Perquisites, his Majesty referred the Examination to Sir *Charles Harbord*, who reported that all the Fines, Forfeitures, Issues, and Amerciaments were due to his Majesty: Then his Majesty ordered a Commission for the said *Brunskel* to inspect and see the same duly Answered, to his Majesty: But his Lordship caused the said Commission to be stoppt at the Privy Seale, and denied the said *Brunskel*s Clients Common Justice, and abused the said *Brunskel* to that degree that he lost his Practice, when it was better than 300 l. per annum to him, and in a hopeful way of increasing it. And his Lordship made the King believe that the said Revenue was a mere Project, until his Majesty was undeceived by a Certificate from the then Surveyor General of the said Revenue. That 97000 l. *Green-Wax-Fines* had been Effreated into the Exchequer every Year for five Years then last past, And that his Majesty got no more than 500 l. per Annum thereof; and by a Discovery of the Abuses, which made out how his Majesty was wronged of as much more, by Officers and Attorneys undue Practices, although every Law hath Penalty to make it be observed; and were the Laws duly Executed, Officers, Attorneys and their Litigious Clients, to avoid Punishment would forsake their undue Practices, whereby good Subjects would peaceably enjoy their Liberties and Properties; or the Fines and Forfeitures of such as disturb them therein would be a very great Revenue, and ease the Good of so much in new Aids and Taxes. When his Majesty was fully satisfied in every Particular, he gave Directions for the said Commission to pass, But his Lordship stoppt it under a pretence that it was too great a Trust to be reposed in Mr. *Brunskel*: Afterward the said *Brunskel* applied himself to the Honourable *Barnard Granvil* Esq. one of the *Bedchamber* to the King, and also to the Right Honourable the late Earle of *Yarmouth*, and the Honourable Sir *Francis Compton*, And when they appeared and countenanced the said *Brunskel*, the Judges filled his Majesties Ears with *Empton* and *Dudleys Case*, and would not suffer any Commission to pass until others, and some that were very powerful with the Duke of *York* were let into the Business, and then his Majesty granted them one Moity of the Improvement of the said Casual Revenue, for seeing the other duly answered to his Majesty. But before any thing was done in the Execution of that Grant there was a suddain Change of great Officers at Court, and a certain person, whether out of prejudice to some of the said *Brunskel*s Partners, or in hopes to make his own advantage of the said *Brunskel*s Discovery, told the said *Brunskel* that he should be nobly rewarded if he would acquit his Partners: The said *Brunskel* acquainted his Partners with the Overtures made him; and the most friendly of them gave the said *Brunskel* leave to secure himself as well as he could: Soon after the person desired the said *Brunskel* to give him a State of the Abuses he had discovered, and of the Rules and Orders he had proposed for the redress thereof, and due management of the *Green-Wax-Fines*. But the said *Brunskel* refused to give him a Copy thereof until he had consulted the most friendly of his Partners; and they giving the said *Brunskel* leave to give out a Coppy of the said Abuses he did do it.

The Abuses are in effect as follows, which are the Foundation of all the Acts since passed, and Bills now pending as set down in the Margent over against every Abuse.

That many Persons, and whole Families have been ruined by the loss of Judgements, or forced to pay for Post Rolls which be very chargeable.

Officers Outlaw many for the Kings Duty, called the *Capias pro Fine*, which cost the Subject seldom less than 10 l. in the *Kings Bench*, because the Outlawries cannot be reversed by Attorney: And 3 or 4 l. in the *Common Pleas*, * and the Officers render no Account of the Duty to the King as they ought to do.

† That Officers for Bribes spare *Jurors* whereby *Tales Men* too often attending to serve the base Ends of Litigious Suitors, are put upon juries, and Free holders attend often two or three *Assizes* successively upon old Causes, which is very grievous especially is they live remote.

‡ Many Fines and and Amerciaments are not imposed which ought to be imposed on Officers, Attorneys or their Litigious Clients, for Neglect, Contempt, or other Offence, and by not doing it Suites are retarded and Procefs multiplyed to the great increafe of Officers Profits, and the intollerable trouble and charge of Good Subjects who by that Means often expend more than the Value of the thing in suite to the Kings Dishonour and great decay of his ancient Revenue arising by Fines, Forfeitures, Issues and Amerciaments which are established to support his Justice.

1663.

The discovery 1674.

Norths Report

The honourable Sir Francis Compton and others can prove this.

An Act for the better discovery of Judgements.

An Act for rectifying proceedings in the Crown Office, and reversing Outlawries by Attorney in the Kings Bench.

* A Bill to take away the *Capias pro Fine*.

† A Bill for the ease of Jurors.

‡ An Act for continuing, reviving, and explaining divers Laws amongst which is

the Act for the better recovery of Fines, Forfeitures, Issues and Amerciaments. That

* An Act for raising Bail in the Country.

* An Act for delivering Declarations to Prisoners by the said Act for Rectifying proceedings in the Crown Office, Courts of Fines & Amerciaments are to be recorded.

A Bill to Rectify proceedings in the Sessions of Peace.

† The Act for reviving explaining & continuing several Laws among the rest. An Act for the better recovery of Fines and Forfeitures, will if duly executed remedy the smothering of Recognizances.

† A Bill for the ease of Sheriffs in passing their Accounts now pending in the Commons House.

* The Abuses in the management of this Duty and the Deceits put upon the Crown and People by fraudulent Mortgages and Alienations put some worthy Persons upon a Bill of Registry now pending in the Commons House.

† The Lord Chief Justice North did know how careful the Judges ought to be of Establishing Duties by the Earle of Devonshires's Case, *Ferome Paughans*, *Eccles* and others Cases, in the Reports of the Law: Yet he prevailed to have the said *Brunskel* clogged with old Commissioners and to three a Quorum to rate and Govern the Alienation Office, and left the old Commissioners to be as Arbitrary as they had done.

Sir Rob. Sawyer's Report.

Nota, When Persons doing good Service were Registered in the Council Book and rewarded with Offices the Nation was well served. Co. 4. *testis* sub Title Privy Council.

* That Plaintiff Demands by Contrivance between them and Attorneys are often laid so vexatiously high. * That Defendants living remote from London cannot find Bayle, and many be ruined by remaining long in Prison before the Plaintiffs Declare.

† Under Sheriffs wrong the Crown extremely by returning Debtors to be in Liberties which be not, and allowing Liberties and Royalties without sufficient Record to warrant the same.

† That Clerks of *Affizes*, Clerks of the *Peace*, and other Officers, too often for Bribes smother Forfeitures upon Recognizances and other Forfeitures of Solvent Persons, and discharge them upon wrong Suggestions, and Ease Compositions, and make many poor people pay them their whole Fees, or give them unreasonable trouble before they give them their *Quietus* or Discharges after the Court admit them to Compound the Kings Duty for little or nothing. And Bayliffs frequently take Money for returning Debtors, to have nothing or not to be found until they make them insolvent, and then they hurry them to Prison, to the ruine of many persons and their Families for want of having some cheap way of making a Composition at first with the King, and Liberty of paying the same as they can raise it: † And Sheriffs cannot now pass their Accompts in the Exchequer without great trouble and Charge.

* The Kings Duty of *Presfine* upon Alienations is 10 l. in all Cases for every 100 l. per annum contained in Writs of Covenant and entry, yet the Commissioners make it as Arbitrary and uncertain as they please, v.z. by making Annuities for Life of 200 l. per annum pay 20 l. *Presfine* and making a Fee simple Estate of 200 l. per annum pay much less and uncertainly as the Commissioners are minded to favour the Owner of the Estate, although the Commissioners are by the † Duty of their places, to rate according as the owners of Estates swear the Value to be. For the Law requireth Owners to discover the Value of their Estates, as well for the benefit of Mortgagees, Purchasers, and other Persons to whom Settlements upon Marriages be made, as that the King may not be wronged of any Part of his Duty: His Majesty may abate what he thinks fit. As for Instance, if Estates be 200 l. per annum where the real *Presfine* is 20 l. The Commissioners may be impowered to abate 15 or 16 l. more or less, so proportionably if the Estate be of greater or lesser value: Were there such an Establishment the Commissioners would be just and equal in the Distribution of his Majesties Bounty, and disoblige none. And then Subjects could not attribute their indearment to the Commissioners favour, but his Majesties Grace and Bounty.

The said *Brunskel* understood afterward, that the Person to whom he gave a Coppy of the said Abuses, did add a *Quare* at the foot of the said Abuses, whether the Grant of any part of the *Green-Wax-Fines* to a Subject was good in Law, or something to that purpose, and obtained a Reference to the then Attorney General, Sir William Jones, who Reported, That the *Green-Wax-Fines* were not Grantable to a Subject: And that the Abuses were true, and fit to be redressed; And that the same might be remedied as was proposed under every Abuse: And that the Discoverer deserved a liberal Reward.

Upon his Report, the Grant to the said Persons of Honour and the said *Brunskel* was Revoaked, and a Commission was Issuing out to certain Persons to be Commissioners to Survey the said Revenue, and see it duly Answered, and all the said *Brunskels* old Partners put in to be Commissioners also, and they being prevalent obtained some order or Directions to have their Names inserted.

Then the Lord Chief Justice North, and his Accomplices represented the Commission to be Illegal and caused, the same to be stopt, afterward the Judges Certified in behalf of Mr. *Aram*, that a Grant to him for inspecting the said *Fines* and *Forfeitures*, and seeing them duly answered was Legal and fit to pass, and the Late Earle of *Anglesey*, stopt it at the *Privy Seal*; and soon after the said Lord Keeper North's Cosen a Papist, one *Adam Colclough Esq.* and Brother-in-Law to one of the then Lords Commissioners of the *Treasury* was set up to inspect the said Revenue and see it duly Answered; and the Late Earle of *Anglesey* stopt the Patent passing to him also at the *Privy Seal*, and complained of both to the King: Whereupon his Majesty appointed a Hearing before his Majesty in Council, and Ordered the said *Brunskel* to be Surveyor General, and his Majesty gave the said *Brunskel* also a Commissioners Place in the *Alienation Office*, but the said Lord Chief Justice North, so contrived the Matter, that the said *Brunskel* was made only a Supernumerary Commissioner, in the *Alienation Office*, and would not suffer any Rules or Orders to be made to enable the said *Brunskel* to do any Service in either of the said Offices.

The said *Brunskel* was desired to sit still, and did acquiesce, and presently a Complaint was made of him that he understood not his Offices; by reason the Sheriffs of London were discharged of 500 l. *Green-Wax-Fines*, upon a Composition of 80 l. to the King; and the Composition was alleged to be unjust, as indeed it was, because the *High Sheriffs* are ever indemnified by their *Under Sheriffs*, who take all the *Fines* and *Amerciaments* usually of the Sutors by whose Contempts *Fines* and *Amerciaments* accrued to the King, so that the favour was not shown to any of the Sutors but to the *Under Sheriffs* & Officers who had received & pocketed the same. It was therefore strongly Argued, that the said *Brunskel* ought to be punished for suffering his Majesty to be wronged as aforesaid.

The said *Brunskel* to justify himself shewed that he could not possibly know what Judges and Officers did, because Rules and Orders were not settled as the Attorney General Jones had advised to prevent Compositions upon wrong Suggestions, Especially Compositions to be made in Judges Chambers privately. Thereupon the like State of Abuses, with Rules and Orders were referred to the then Attorney General Sir Robert Sawyer, who reported the Abuses true, and fit to be redressed and that the Rules and Orders proposed by the said *Brunskel* seemed Reasonable to be made by the Judges, but the Judges refusing to make and settle them, his Majesty Ordered the said Earle of *Anglesey*, then Lord *Privy Seal* to see the same Effectually made and settled; And the said Earle being then ill of the *Cough*, the Judges would not meet at his Lordships House, but met and consulted together privately at *Sergeants Inn* in *Fleetstreet*, and abused the said *Brunskel*, and the Lord Chief Justice *Pemberton* declared that his Majesty had no such Revenue, and there needed no such Rules or Orders.

Then the said *Brunskel* drew several Questions for the Judges to answer; The most material Question was, Why Judges sold Offices, which encourageth others to do the like, contrary to the Statute 12 Rich. 2. cap. 2. seeing the Lord Chief Justice Cook *Instit.* 1 pt. folio 234 saith, That Justice will never be administered until that Golden Law be observed, which provides, that none shall make any Officer under the King for Money, favour or Affection. And instanteth some that were punished in his Lordships time, for selling the Kings Favour or Bounty. And *Instit.* the 3 Part 145 148 That it is Bribery for any in judicial Office to sell any Office under him. And the late Earle of *Anglesey*, so well approved of the Questions as drawn, that his Lordship Subscribed his Name and desired his Majesty that Sir *Leonel Jenkins* then his Majesties Principal Secretary of State, might signify his Majesties pleasure to the Judges to Answer them in writing, which was accordingly done. But the Judges trifled till the Earle of *Anglesey* was removed from being Lord *Privy Seal*.

As soon as his Lordship was removed, the late Earle of *Tarmouth*, who had a promise of a part of the *Green-Wax-Fines*, in case they were improved, desired the said *Brunskel* to joyn with him in petitioning his Majesty for Rules

Rules and Orders and although the said *Brunskel* used all the Arguments he could to diswade his Lordship from doing it, yet because the King had promised his Lordship, That Rules or Orders as proposed should be made, his Lordship would not adhere to the said *Brunskel*, but did Petition. And his Majesty appointed a hearing, and all the Judges and the then Attorney General *Sawyer* were present, and the said Attorney General, Sir *Robert Sawyer* Retracted his Report. And the Lord Chief Justice *Saunders* being asked what opinion he was of when of Council for the said *Brunskel*, answered it was one thing to be Council and another to be Judge. And the Lord Chief Justice *Penberton*, told the King, that the *Charter of London* was on the Stage, and it would be a thing of ill consequence to have their Judgements Questioned, neither was it fit for Judges to Argue with private Persons; For as they were *Leges loquentes* their Opinions ought to be definitive. And after a short Harangue the said *Brunskel* was bidden to withdraw.

After that the Judges pressed the King to take the Offices from the said *Brunskel*, but the King would not adhere to it.

As soon as the King was dead both Offices were taken away, and the Office of *Surveyor General* was granted to the said *Colclough*. And though a Commissioner of the *Alienation Office* afterward killed himself, yet a Papist was preferred to his Commissioners place.

Upon this Revolution, the said *Brunskel* petitioned to be restored to the said Offices, and his Petition lay in the *Treasury* many Months, until an Uncle, or Brothers Son to one of the then Lords Commissioners, and the Father of one of the Clerks to Mr. *Jepson* were Competitors for the said Offices, and the said *Brunskels* Competitors thinking that none of the Judges would report favourably for him, prevailed to have the said *Brunskels* Petition, with the before mentioned Abuses which were annexed to it, referred to the present Lord Chief Baron, and the other Barons of his Majesties *Exchequer*. But the said *Brunskels* Competitors found themselves mislaid, for all the Barons reported the said *Brunskel* fit to be *Surveyor General* of the *Green-Wax-Fines*. And the Lord Chief Baron Reported that the said *Brunskel* was well experienced, and every way well Qualified for both Offices, as well the *Surveyor* as the Commissioners place, and had taken pains to find out Abuses therein; for his Lordship, the said Lord Chief Baron Remembred when he was *Puny Judge* of the *Common Pleas*, how the Lord Chief Justice *North* wronged the said *Brunskel*; and had not several Honest Judges been removed by the said Lord Chief Justice *Norths* Politicks, the said Abuses had been redressed, and many Families in a good Condition at this day, who were undone and ruined by the Judges undue Practices aforesaid.

Upon the Lord Chief Baron and the other Barons reports, his Majesty signified his Pleasure two several times, that the said *Brunskel* should have the Offices; But the then Lords Commissioners, delaying and trifling with the said *Brunskel*, and he fearing the Reports to be forgotten, and that the Offices would be granted away privately to his Competitors, Petitioned for a hearing before his Majesty in Council, or in the *Treasury Chamber*, and obtaining no answer of any of the many Petitions he presented. The said *Brunskel* entred Caveats, but Mr. *Jepson* jumped over all the Caveats, by Certifying that the said *Brunskel* had been fully heard; * Though the said *Brunskel* had often and earnestly Petitioned and Solicited for a hearing, but could not obtain it.

As soon as the said *Brunskel* saw a change of Commissioners of the *Treasury* he, to obtain a hearing proposed to make out to his Majesty how and which way his Majesty might get and save above 300000 *l. per annum* and ease his People of much more yearly, and obtained a hearing before the then Lords Commissioners in the *Treasury Chamber* 29 *Sept.* 1690. upon his whole Case, which made out his Proposals as follow, *viz.*

That his Majesty by hindring the Judges to Sell Offices as they became void, and taking one Years Purchase to himself would hereafter ease every Purchaser, Seven years value at the Rate Offices be sold in Courts of Justice, and by hindring Offices in the *Household* and elsewhere to be sold and taking one year to himself, would ease the Purchaser of four Years Value. And shewed how the Abuses he had discovered as aforesaid might be redressed by the King, to make the Casual Revenue arising by *Fines, Forfeitures, Issues and Amerciaments*, a Considerable Revenue Yearly.

And it appeared by the said *Brunskels Case*, That he had lost his Practice, whereby he got above 300 *l. per annum*, from the time of his Discovery, and that it was not to be retrieved, he had created so many Enemies, by exposing the Corruptions which proceed from Buying and Selling Offices. And also that he had spent 1500 *l.* and Contracted Debts exceeding 300 *l.* which increase 180 *l.* for want of something to pay off either Principal or Interest. And had been several times attempted to be Murdered. And when a Bill in the Lords House against Buying and Selling Offices was Committed and Reported, Recommended and Reported. The said *Brunskel* received several *Penny-post-Letters* threatening him if he did not forbear all further Prosecution, he should find the sad Effects: And soon after a Messenger with a File of *Musqueteers* took him out of his Bed, and he was kept two days and a night close Prisoner; and how much longer he had been kept he cannot tell had not a worthy Member of the *House of Commons* appeared and got him Discharged: And from that hour to this, the said *Brunskel* could never learn what Information was given against him, or who was the Informer: And now since last *St. Stephens* day his Household Goods were Seized, and he is more put to his Shifts to live than ever, by reason his Creditors are made to believe that he is rewarded: and some seek to *Arrest* and hurry him to Prison, the meer slaughter house of Persons willing but unable to pay Debts.

The Lords Commissioners Debated the Matter contained in the said *Brunskels Case*, about two hours, and the Lords Commissioners of the *Treasury* so well liked the said *Brunskels* Proposals, that had it been in times of Peace tis believed their Lordships had advised the King to do as proposed, but being in times of War abroad and Divisions at home their Lordships thought the same more advisable to be done by the Parliament, therefore directed the said *Brunskel* to make his application thither, and their Lordships were also well satisfied that the said *Brunskels* Service and Sufferings were true, as set out in his case, and deserved a Compensation; but because the Persons that had gotten the said Offices, he Petitioned to be restored to, could not be removed without disobliging some in great power that had preferred their own Relations, their Lordships minited the said *Brunskel* to be put into the *Alienation Office* for his present Subsistence.

The said *Brunskel* made his Application to the *House of Commons*, and was referred to a Committee, who came to these following Resolutions, *viz.* To move the House for Leave to bring in a Bill against Buying and Selling Offices, To ascertain the Fees of Officers and Attorneys, &c. For their Majesties to have one Years profit of Offices payable in two Years time, and to lay the said *Brunskels* Cases before the House.

Upon the Committees Report, the House agreed to the two first Resolutions with some Amendments, and Adjourned the debate of the two last, and before the day appointed the Sessions ended.

The said *Brunskel* as soon as the Parliament was up, Petitioned to be put into the *Alienation Office*, according

Several Bills have been in both Houses of Parliament this Reign for Supplying the defects of the Law. Untill that be done, if three be Competitors for an Office, it cannot be given to one without disobliging the rest, and if the person preferred be not so well qualified as the other two, it makes all speak ill of their Majesties great Officers because partiality in the choice of Officers, makes partiality in the Execution of the Law, therefore the preference in the case of the three Competitors equally qualified cannot be determined but by Lot which causeth Contention to cease, and parteth between the Mighty. *Prov.* 18. 18.

* Lords Commissioners at that time, Sir *John Lowther* Barronet, present Chancellor of the *Exchequer*, Mr. *Pellam*, Sir *Stephen Fox*, Assisted with the present Lord Chief Baron, and Sir *George Treby* then Attorney General.

Votes 27 Dec. 1690 of the House of Commons.

A Bill for the Settlement of Officers Fees.

Several Bills have been in the House against Buying and Selling Offices and settling a Revenue to the Crown.

according to the Minutes aforesaid. And the then Lords Commissioners refusing, he humbly Petitioned the King for an Office which was as he humbly conceived wrongfully detained from his Majesty, or to be restored to the said Offices he had in the late Reign. And being referred to the said Lord Chief Baron, his Lordship reported it was a shame Offices should be bought and sold: That Mr. *Brunskel* had Created many Enemies by Discovering Abuses. And that it would be a great increase of his Majesties Glory to redress the Abuses, but his Lordship was not for removing any person in Office, because his Majesty had wayes and means enough to reward the said *Brunskel* without disobliging any, and that the said *Brunskel* deserved a reward, but had gotten no good Employment although very capable of one as his Lordship had formerly reported.

The said *Brunskel* and all under his Circumstances cannot speak to their Majesties but by Petition, Case, or other Writing presented, and there are few things Petitioned; for but some or other are Competitors for the same thing, and the preference is as the Petitioner is represented at Court, though every one when solicited by Mr. *Brunskel*, or any Friend in private, promise and say, tis a shame and pitty he is not taken care of. But saying be thou Fed, Clothed or Warmed will not be accounted Charity at the great Audit. 'Tis Visible, let men say what they please, that Mr. *Brunskels* Debts and Troubles have been much augmented, and will increase, if some speak not at the Critical Minute when the Office and other things Petitioned for, is upon the point of being Granted away. Had the said *Brunskel* any Friend at Court his Afflictions had not been augmented with continual Petitioning References, Reports, Attendance and Dependence, which are very troublesome and great Expence of Money, and loss of time, and having done all that the Law requireth on his part: If those that can finish it, will not do theirs, is it reasonable he should be exposed by his Debts, either to obscond and follow no profession, or starve in *Goale* if not fed with the Scraps of the *Basket*,

The Law looks upon the meanest Person in Office, capable of maintaining and defending the Crown and Peoples Rights which like *Hippocrates Twinns* live and dye together, otherways Oaths would not be enjoined to do it by discovery or otherways, and make it a Premunire to refuse them, and establish severe Punishments for wilful Breach or neglect of Oath, and Duty. The said *Brunskel* is the second Son of a Gentleman of 260 l. per annum and Gentlemens Sons of such Estates seldom want good Education, to fit them for necessary Arts, Sciences and Employments: His Discoveries are true, and if no due Encouragement be given to him, it will encourage bad Officers to be worse, and make the best afraid of doing their Duty, more especially considering, That the Acts passed, and Bills passing for the Service of the Nation, are founded upon the subject Matter of the said *Brunskels* Discovery; and Nursing Parliaments ever dealt with their Brethren and fellow Subjects, as Parents do with their Children, not discouraging or dejecting them for faults of indiscretion, but cherishing all things in them, commendable and praise worthy to make them Comforts.

If any Question the truth of any thing set out as aforesaid, or whether the said *Brunskel* is the first Discoverer of the sad Abuses, They may be satisfied by his 4000 printed Vindications in *Quarto*, and 4000 in *Octavo*, Dedicated to King *Charles*, which were given out after the last hearing at Council Table; and by his Case, which, upon the Resolution of the Committee, was Reported to the *House of Commons*, and Grievances or the Causes thereof, are more Difficult to find out at first then to be redressed when Discovered. And if any doubt the said *Brunskels* Sufferings to be as set out, the Lords Commissioners of their Majesties *Treasury*, and a Committee of the *House of Commons* made no Objections to any thing, and if they had, Mr. *Brunskel* would have produced, and can still produce Testimonials for the most material things, and it is well known, that Clients will not employ any the Judges have an aversion to. And if the said *Brunskel* had been countenanced in his Practice what might he have gotten, considering how many persons in 19 years time have risen from nothing to great Wealth by their Practice, than why not Mr. *Brunskel* from so good a Stock as 1500 l. in Money and Land and good Practice, nothing but lyes and Private Whisperers of self interested persons, their Accomplices and misguided or mistaken Friends have ruined the said *Brunskel*, as may easily be discerned by the piercing Eye of a Parliament, the said *Brunskel* ne'r was run down at any Hearing but when Plots would not admit of an Administration of Justice, and dispensing with Oaths and Laws was in fashion; and that the said *Brunskel* hath had no hearing since, but 29 Sept. 1690. in the *Treasury Chamber*, and before the Committee, of the *House of Commons*, and greater demonstration of his Service and Sufferings cannot be given then the Issue of those two hearings if any say any thing to blast the said *Brunskels* Reputation or Credit, tis but just he and his Accusers should be heard bare faced before indifferent Persons, and then if his Defence be not honourable and honest, let him be punished as in Justice he ought to be. Man in his perfect State is the best of all Animals, but separated from Law and Right is the worst. Dr *Scots Christian Life* p. 137. or *Aristotle de repub. Lib. 1. p. 298*. The wisdom of all good Governours therefore, in all Reigns that flourished and prospered, ever regarded such things as were for the Common good and Benefit of the publick, and protected and countenanced true Discoveries; and never made use of any mans Discoveries, but rewarded the first Discoverer, as Queen *Elizabeth* did *Carmarthen* and others.

Now whereas the *House of Lords* Addressed to the King lately, in behalf of Mr. *Pettit* because he is a good and useful *Record-Keeper* in the *Tower* and the *House of Commons*, for Mrs. *Fitzharris*, for doing some good Christian Act in hindring her Husband to accuse some persons of Treasonable Practices they were to be drawn into unawares: and for Mr. *Dockwra* for inventing the *Penny-Post* for the benefit of his Brethren in and about *London*: and for the late Lord Admiral *Torington* for his Service at *Bantry-Bay*.

The said *Brunskel* Prays the High Court of *Parliament*, to take the Premises into Consideration, That he may be Relieved by an Address to their Majesties or otherways.

And the said BRUNSKEL, as in Duty bound,
shall ever Pray, &c.

29. Sep. 1690

Dr. Scots Christian Life, pag 137 or Aristotle de repub. Lib. 1. p. 298.